

# SOLID WASTE FACILITY PERMIT - Pg. 1 of 5

1. Facility/Permit Number:

SWIS No. 43-AN-0003

2. Name and Street Address of Facility:

Newby Island Sanitary Landfill  
1601 Dixon Landing Road  
San Jose, CA 95035

NOTE: The Facility is located in San Jose, however the mailing address is in Milpitas.

3. Name and Mailing Address of Operator:

International Disposal Corporation, Inc.  
1601 Dixon Landing Road  
Milpitas CA 95035

4. Name and Mailing Address of Owner:

International Disposal Corporation, Inc.  
1601 Dixon Landing Road  
Milpitas CA 95035

5. Specifications:

- a. Permitted Operations:
- |                                     |                                    |                                     |  |
|-------------------------------------|------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | Composting Facility (mixed wastes) | <input type="checkbox"/>            | Processing Facility  |
| <input type="checkbox"/>            | Composting Facility (yard waste)   | <input type="checkbox"/>            | Transfer Station   |
| <input checked="" type="checkbox"/> | Landfill Disposal Site             | <input type="checkbox"/>            | Transformation Facility  |
| <input type="checkbox"/>            | Material Recovery Facility         | <input checked="" type="checkbox"/> | Other: <u>Compost Bagging Operation and Waste Tire Storage</u> |

b. Permitted Hours of Operation:

Commercial and Industrial Disposal Operations ..... 24 Hours per Day, 6 Days per Week (CLOSED ON SUNDAY)  
Public Disposal Operations ..... 8:00am to 4:00 pm, 7 Days per Week (CLOSED ON SUNDAY)

c. Permitted Tons per Operating Day:

The Annual Average Tonnage allowed is 3260 TPD (See Conditions #C4).

Total: 4000\* Tons/Day

\* Maximum Peak Daily Tonnage (See Conditions #C4).

Non-Hazardous - General	<u>4000</u>	Tons/Day
Non-Hazardous - Sludge	<u>N/A</u>	Tons/Day
Non-Hazardous - Separated or commingled recyclables	<u>N/A</u>	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	<u>N/A</u>	Tons/Day
Designated (See Section 14 of Permit)	<u>N/A</u>	Tons/Day
Hazardous (See Section 14 of Permit)	<u>N/A</u>	Tons/Day

d. Permitted Traffic Volume:

Total: Equivalent of 4000\* Tons per Day Vehicles/Day

Incoming waste materials	<u>NA</u>	Vehicles/Day
Outgoing waste materials (for disposal)	<u>NA</u>	Vehicles/Day
Outgoing materials from material recovery operations	<u>NA</u>	Vehicles/Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer	MRF	Composting**	Transformation
Permitted Area (in acres)	342 Acres	313 Acres	N/A		6 Acres	N/A
Design Capacity		50.8 Million Cubic Yards	N/A		N/A	N/A
Max. Elevation (Fl. M.S.L.)		150 ft				
Max. Depth (Fl. below M.S.L.)		40 ft				
Estimated Closure Date		2020 Estimate Only				

(\* \*\* Composting Operations are authorized by a separate Solid Waste Facility Permit 43-AN-C017.)

The permit is granted to the operator named above. Upon a change of owner or operator, the LEA shall be notified 45 days in advance so that the LEA may make a determination for a modification or revision to the permit. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

Gary Schwarauer, Planning, Building and Code Enforcement Department Director

Name/Title James R. Derryberry, Director

7. Enforcement Agency Name and Address:

City of San Jose  
Department of Planning, Building and Code Enforcement  
777 N. First St. Suite 700  
San Jose, CA 95112

8. Received by CIWMB:

JAN 24 1997

9. CIWMB Concurrence Date:

FEB 26 1997

10. Permit Review Due Date:

March 14, 2002

11. Permit Issued Date:

March 14, 1997

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12. Legal Description of Facility (refer to attached Site Vicinity and Site Location Maps, as shown in the RDSI Figures 1,2,3) :Located at the Western terminus of Dixon Landing Road, in Section 35 of Township 5 S, Range 1 W, Mount Diablo Base and Meridian (APN 015-40-002 and 015-31-024). The site latitude and Longitude are approximately 37 degrees 30 minutes North and 121 degrees 54 minutes West. City of San Jose, Santa Clara County ( SEE ATTACHMENT A 'Legal Site Description').

## 13. Findings:

- a. This permit is consistent with the County Solid Waste Management Plan or the County-wide Integrated Solid Waste Management Plan (CoiWMP). Public Resources Code, Section 50001. The CoiWMP, dated November 1995, was adopted by the C.I.W.M.B. in July 1996 (See attachment B;)
- b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.
- c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.( The City of San Jose Local Enforcement Agency) during the inspections of - December 23,1996.
- d. The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151.( See Attachment C; Fire District Compliance.) San Jose Fire Dept. Approval date May 9,1996.
- e. An environmental determination (i.e. Notice of Determination) was filed with the State Clearinghouse( SCH # 95063028) to identify current and proposed changes. pursuant to Public Resources Code, Section 21081.6. The environmental documents were filed by the City of San Jose Planning Department and adopted on July 21,1995. ( See attachment D; Environmental Determination.)
- f. A County-wide Integrated Waste Management Plan has been approved by the CIWMB.
- g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: The City of San Jose Department of Planning. ( See Attachment E; General Plan Conformance Finding.) Public Resources Code, Section 50000.5(a).
- h. The following local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b): The City of San Jose Planning Department. (See Attachment E, General Plan Conformance Finding).

## 14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, designated wastes, friable asbestos, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable agencies. Wastes requiring special handling, other than those defined in the RDSI, shall require LEA approval for authorization of special handling methods. All non-solid wastes containing less than 50 percent solids must be handled and disposed of as described in a waste management plan approved by the Regional Water Quality Control Board (RWQCB) and the Local Enforcement Agency (LEA).

- EXCEPTIONS:
- |    |  |
|----|--|
| A. | <u>Non-liquid water treatment residue such as solids from screens and settling tanks, and sludge containing at least 15%-20% solids.</u>                                   |
| B. | <u>Non-liquid sewage treatment residue such as solids from screens and grit chambers, and sludge containing at least 15%-20% solids.</u>                                   |
| C. | <u>Wastes containing less than 50% solids, which have been approved by the LEA and the RWQCB.</u>  |
| D. | <u>Triple Rinsed containers in accordance with Title 22, CCR, Section 66261.7</u>  |
| E. | <u>Manure</u>  |
| F. | <u>Dead Animals or portions thereof</u>  |
| G. | <u>Ashes from household burning.</u>   |
| H. | <u>Non Hazardous Solid Waste as defined in CCR Title 23, Chapter 15, Section 2523 that are not prohibited in other portions of this permit or in the WDR's.</u>            |
| I. | <u>Contaminated Soils and other Industrial Wastes are permitted with prior approval by the LEA and the RWQCB and in compliance with All other regulatory requirements.</u> |

The permittee is additionally conditioned by the following items:

- |    |  |
|----|--|
| A. | <u>Untreated medical waste, as defined in Chapter 6.1, Division 20 of the Health and Safety Code, is prohibited.</u> |
|----|--|

## 15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

- |  | DATE                           |
|--|--------------------------------|
| [x] Report of Disposal Site Information  | <u>7-28-96</u>                 |
| [x] Land Use Permits and Conditional Use Permits: SUP #90-10-008<br>H95-03-022 | <u>7-02-91 and<br/>7-17-95</u> |
| [x] Air Pollution Permits and Variances: Permit #11093 to operate Plant 9013   | <u>7-19-95</u>                 |
| [x] EIR or Negative Declaration: H95-03-022                                    | <u>7-17-95</u>                 |
| [x] Lease Agreements - owner and operator                                      | <u>12-16-83</u>                |
| [x] Preliminary Closure/Post Closure Plan                                      | <u>3-13-94</u>                 |
| [x] Closure Financial Responsibility Document                                  | <u>2-15-90</u>                 |
| [x] Updated Waste Discharge Requirements Order No. 87-152 and 94-025           | <u>11-30-87 and 3-15-94</u>    |

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## 16. Self Monitoring:

- a. Results of all self-monitoring programs will be reported as follows:  
(The monitoring documentation, where applicable, will be delinquent 30 days after the end of the reporting period)

Program	Reporting Facility	Agency Reported To
b. Operator shall notify the LEA upon receipt of a Notice of Violation from any regulatory agency. In addition, the operator shall notify the LEA within 72 hours, or on the next business day, following written receipt of a Notice of Violation or upon receipt of written notification of complaints regarding the facility which have been received by other agencies.	As noted	LEA
c. All complaints regarding this facility and the operator's actions taken to resolve these complaints shall be entered into the log of special occurrences. (Notification to the LEA within one day following any serious or major complaint is still recommended.)	As noted	LEA
d. Reports of all special/unusual occurrences and the operator's actions taken to correct these problems shall also be entered into the Log of Special Occurrences.	As noted	LEA
e. The quantities and types of hazardous wastes, untreated medical wastes, or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	ANNUAL (Due Jan. 30)	LEA
f. All incidents of unlawful disposal of prohibited materials and the operator's actions taken shall be entered into the log of special occurrences. Indicate those incidents which occurred as a result of the random load checking program. Incidents, as used here, means that the hauler or producer of the prohibited waste is known.	As noted	LEA
g. The operator shall maintain on-site records for the LEA to document the daily gross Tonnage along with the monthly totals. Also, copies of these monthly totals shall be mailed to the LEA within 30 days after the end of the month. The operator shall maintain these records on the facility's premises for a minimum of one year and make them available to any Enforcement Agency's personnel on request.	As noted	LEA
h. The operator shall report to the LEA in writing the average annual Tonnage figure at the end of the calendar year.	ANNUAL (Due Jan. 30)	LEA
i. The results of the landfill perimeter gas monitoring.	As required by regulation.	LEA
j. The results of the leachate monitoring, collection, treatment and disposal program. The operator shall monitor leachate generation as required by the WDR's. The operator will collect, treat and effectively dispose of the leachate in a manner approved by the CRWQCB, with the results, reports and other documentation being copied to the LEA.	As required by WDR's	LEA
k. One topographical map showing all current fill locations, and one showing all excavations from the previous calendar year. Maps shall be on white bond with a scale no smaller than one inch = 200 feet unless otherwise approved by LEA.	<u>Annually</u> (Due April 1)	LEA
l. Black and White Stereo Pair copies of Aerial Photos will be provided to the LEA.	Same as above	LEA
m. The Operator shall make available to the LEA the gate Receipt Records with vehicle count and arrival times when it is necessary for the LEA to review them onsite.	As requested	

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## 17. LEA Conditions:

### A. Requirements :

1. This facility shall comply with all the State Standards for Solid Waste Handling and Disposal.
2. This facility shall comply with all federal, state, and local requirements and enactments including all mitigation measures given in any certified Environmental document filed pursuant to the Public Resources Code, Section 21031.6.
3. The operator shall comply with all notices and orders issued by any responsible agency designated by the Lead Agency to monitor the mitigation Measures contained in any of the documents referenced within this permit pursuant to the Public Resources Code section 21081.6.
4. Additional information concerning the Design and operation of this facility shall be furnished on request to the Enforcement Agency personnel.
5. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility personnel and to Enforcement Agency Personnel.
6. The operator shall install and maintain signs at the entrance indicating that no hazardous waste or liquid wastes are accepted.
7. The operator shall comply with the Waste Load Checking Program as described in Section 6.12 and Appendix E of the Report of Disposal Site Information document dated June 28, 1996.
8. The operator shall comply with all conditions and requirements contained in the WDR's (Order No. 94-025).

### B. Provisions :

1. Operational controls shall be established to preclude the receipt and disposal of volatile organic chemicals or other types of prohibited wastes. The Operator shall comply with the approved Waste Load Checking Program as described in the RDSI dated June 28, 1996. Any changes in this program Must be approved by the LEA prior to implementation. The following SWFP conditions supplement those conditions:
  - A. The minimum number of random waste loads to be inspected monthly at this landfill is five (5).
  - B. The number of random incoming loads to be inspected each month is determined by the LEA and shall be related to the permitted daily volume of Refuse received by the facility. The LEA reserves the right to increase the required number of incoming waste load inspections for sufficient cause.
  - C. Incidents of unlawful disposal of prohibited materials shall be reported to the LEA as described in the monitoring section of this permit. In Addition, all other agencies as required by regulation shall also be notified of any such incidents in accordance with established time frames.
2. This facility must comply with all monitoring requirements established in the Regional Water Quality Control Board Order No. 94-025, Waste Discharge Requirements.
3. This permit is subject to review by the LEA and may be suspended, revoked or modified at any time by the LEA for sufficient cause.
4. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance.
5. The operator shall maintain a log of special occurrences as required by CCR Title 14 and 27 and shall make available to the LEA any BAAQMD or OSHA related reportable documentation. This log shall include, but is not necessarily limited to:

Surface and underground fires, explosions, earthquakes, slope failures, discharge of hazardous liquids or gases to the ground, water or air, or significant injuries requiring hospital care. Entries made in this log and deemed significant by the operator must be reported to the LEA within 72 hours. Each of these log entries shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence.
6. The operator shall maintain, at the facility, accurate daily records of the weight and/or volume of refuse received. These records shall be available To both LEA and CIWMB personnel and shall be maintained for a period of at least one year.

### C. Specifications :

1. The operator shall notify the LEA in writing, of any proposed significant changes in the facility design or operations during the planning stages. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 120 days before said changes are undertaken. Any significant change as determined by the LEA would require a revision of this permit.
2. Upon a change in the owner or operator, the LEA shall be notified 45 days prior to the change so that the LEA may make a determination to either modify or revise the permit.
3. This permit supersedes all previous SWFP's for this site.
4. This facility is allowed a peak or maximum daily tonnage of 4000 TPD for disposal purposes. The site is allowed an annual average of 3260 TPD, and is also allowed to take in up to 100,000 tons per year of inerts (concrete, asphalt, rock, greenwaste and soil) for road and pad building and other site improvements. The weight of these materials shall be deducted from the incoming waste totals, and will not be counted towards the permitted tonnage totals.

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## 17. LEA Conditions (continued)

### C. Specifications (continued)

5. Because this site is a 24 hour site with continuous disposal operations for 24 hours a day, the active disposal face is in a continuous disposal mode. For this reason, the operating day for this site will be defined as a six day period. During this period, the exterior sloping face of the active cell shall be covered with daily Cover. At the end of the six day period, the active face and exterior slope face of the cell will be covered fully with daily cover after the last load of waste is placed after 4:00 p.m. From day 1 to day 6, only those areas that are continuously receiving waste can remain without cover. Also, from day 1 to day 6, where waste has not been received for more than 3 hours, the entire active face will be covered. The operator may be directed to cover more frequently, if required by the LEA, in the event of a public health issue or a public nuisance.
6. The various types of ADC approved for this site, such as Biosolids, may be amended by the LEA and/or other Agency authorizations.
7. Upon successful completion of an approved ADC pilot project and upon administrative concurrence by the LEA, CIWMB, and the RWQCB the Operator may commence ongoing non-experimental ADC use.
8. This facility must comply with all applicable Federal, State and local enactments, laws and regulations, including the State Minimum Standards established by the C.I.W.M.B. in State CCR's Title 14, and administered locally by the Local Enforcement Agency. The Local Enforcement Agency is the City of San Jose, Department of Planning, Building and Code Enforcement.